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NOTICE OF ALLOWANCE AND FEE(S) DUE

22850

7590

06/23/2010

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, THUONG

ART UNIT

PAPER NUMBER

2455

DATE MAILED: 06/23/2010

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/913,586

01/25/2002

Toshihiro Morita

27573US6PCT

4193

TITLE OF INVENTION: INFORMATION PROCESSING APPARATUS AND ASSOCIATED METHOD OF TRANSFERRING GROUPED CONTENT

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1510 | \$300 | \$0 | \$1810 | 09/23/2010 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22850 7590 06/23/2010

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

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Whereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

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|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/913,586 01/25/2002 Toshihiro Morita 275735US6PCT 4193

TITLE OF INVENTION: INFORMATION PROCESSING APPARATUS AND ASSOCIATED METHOD OF TRANSFERRING GROUPED CONTENT

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
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| nonprovisional | NO | \$1510 | \$300 | \$0 | \$1810 | 09/23/2010 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|----------------|----------|----------------|
| NGUYEN, THUONG | 2455 | 709-248000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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NGUYEN, THUONG

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 707 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 707 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/913,586

Applicant(s)

MORITA ET AL.

Examiner

Thuong (Tina) T. Nguyen

Art Unit

2455

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/27/10.
2. ☒ The allowed claim(s) is/are 50-53, 56-65, 67-71, 74-83, 85-88.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

Interview Summary

1. Examiner contacted the Applicant's Representative, Johnny Ma (Reg. No. 59,976), on 5/19/10, and a proposed amendment as shown in Examiner's amendment below was sent to the undersigned for further consideration. The Applicant's Representative indicated on 6/10/10 that the propose amendment is acceptable and authorized Examiner to enter it by Examiner's amendment.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. The application has been amended as follow:

In the claims:

4. Claims 50-53, 56-62, 64-65, 68, 74-75, 86-88 are amended as following:
50. (Currently Amended) An information processing apparatus, comprising:
- a communication unit configured to communicate with a portable device for playing music data; and
- a ~~control unit~~ processor configured
- to detect a connection between the information processing apparatus and the portable device via the communication unit, [[and]]

to launch automatically a predetermined application installed in the information processing apparatus in response to the connection being detected, wherein said predetermined application is configured to transfer the music data between the portable device and the information processing apparatus, and to play the music data on the information processing apparatus; and

based on the launched application, to extract the music data to be transferred from the information processing apparatus according to a predetermined condition related to associated information of the music data.

51. (Currently Amended) The information processing apparatus according to claim 50, wherein

based on the launched application, said ~~control unit~~ processor

controls the communication unit to receive associated information of the music data from the portable device, and

controls a display unit to display said associated information.

52. (Currently Amended) The information processing apparatus according to claim 50, wherein

based on the launched application, said ~~control unit~~ processor controls the communication unit to transfer the music data from the information processing apparatus to the portable device.

53. (Currently Amended) The information processing apparatus according to claim 52, wherein

based on the launched application, said ~~control unit~~ processor controls the transferring of the music data without regard to a user input.

54. (Cancelled).

55. (Cancelled).

56. (Currently Amended) The information processing apparatus according to claim ~~[[54]]~~ 50, wherein

the predetermined condition is random.

57. (Currently Amended) The information processing apparatus according to claim ~~[[54]]~~ 50, wherein

the predetermined condition is stored in the portable device.

58. (Currently Amended) The information processing apparatus according to claim 50, wherein

based on the launched application, said ~~control unit~~ processor

controls a reading unit to read music data from a Compact Disc (CD),

controls a compression of the read music data, and

stores the compressed music data into the information processing apparatus.

59. (Currently Amended) The information processing apparatus according to claim 58, wherein

based on the launched application, said ~~control unit~~ processor controls the communication unit to transfer the compressed music data to the portable device without regard to a user input.

60. (Currently Amended) The information processing apparatus according to claim 50, wherein

based on the launched application, said ~~control unit~~ processor controls a different communication unit to download the music data from a web server.

61. (Currently Amended) The information processing apparatus according to claim 60, wherein

based on the launched application, said ~~control unit~~ processor controls the communication unit to transfer the downloaded music data to the portable device without regard to a user input.

62. (Currently Amended) The information processing apparatus according to claim 52, wherein

based on the launched application, said ~~control unit~~ processor controls the communication unit to receive the music data from the portable device.

64. (Currently Amended) The information processing apparatus according to claim 50, wherein

based on the launched application, said ~~control unit~~ processor controls a display unit to display an indication that the portable device is connected to the information processing apparatus.

65. (Currently Amended) The information processing apparatus according to claim 50, wherein

based on the launched application, said ~~control unit~~ processor controls reproduction of said music data from the portable device.

68. (Currently Amended) A non-transitory computer-readable storage medium having embedded therein instructions, which when executed by a processor, cause the processor to perform a method of an information processing apparatus, the method comprising:

detecting, by a control unit of the information processing apparatus, whether a portable device for playing music data is connected to the information processing apparatus via a communication unit, the communication unit being configured to communicate with the portable device; [[and]]

launching automatically, by the control unit of the information processing apparatus, a predetermined application installed in the information processing apparatus in response to the portable device being detected to be connected to the information processing apparatus, wherein said predetermined application is configured to transfer the music data between the portable device and the

information processing apparatus, and to play the music data on the information processing apparatus; and

based on the launched application, extracting, by the control unit of the information processing apparatus, the music data to be transferred from the information processing apparatus in accordance with a predetermined condition related to associated information of the music data.

72. (Cancelled)

73. (Cancelled).

74. (Currently Amended) The non-transitory computer-readable storage medium according to claim [[72]] 68, wherein

the predetermined condition is random.

75. (Currently Amended) The non-transitory computer-readable storage medium according to claim [[72]] 68, wherein

the predetermined condition is stored in the portable device.

86. (Currently Amended) A method of an information processing apparatus, the method comprising:

detecting, by a control unit of the information processing apparatus, whether a portable device for playing music data is connected to the information processing apparatus via a communication unit, the communication unit being configured to communicate with the portable device; [[and]]

launching automatically, by the control unit of the information processing apparatus, a predetermined application installed in the information processing apparatus in response to the portable device being detected to be connected to the information processing apparatus, wherein said predetermined application is configured to transfer the music data between the portable device and the information processing apparatus, and to play the music data on the information processing apparatus; and

based on the launched application, extracting, by the control unit of the information processing apparatus, the music data to be transferred from the information processing apparatus in accordance with a predetermined condition related to associated information of the music data.

87. (Currently Amended) The information processing apparatus according to claim 50, wherein

the ~~control unit~~ processor is configured to determine whether the predetermined application has been started, and to automatically launch the predetermined application in response to the connection being detected and a determination that the predetermined application has not been started.

88. (Currently Amended) The information processing apparatus according to claim 50, wherein

the ~~control unit~~ processor is configured to execute a starter program that detects the connection between the information processing apparatus and the

portable device, and to launch automatically the predetermined application in response to the connection being detected.

REASONS FOR ALLOWANCE

5. Claims 50-53, 56-65, 67-71, 74-83, 85-88 are allowed.
6. Claims 54-55, 66, 72-73 & 84 are canceled.
7. The following is an examiner's statement of reasons for allowance.

In interpreting the currently amended claims, in light of the Specification and the Applicant's arguments filed on 5/19/10, the Examiner finds the claimed invention to be patentably distinct from the prior art of records. Specifically, the prior art of records, individually or in combination, fail to explicitly teach, suggest or render obvious the claimed invention as recited in independent claims 50, 68 & 86.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina Nguyen whose telephone number is 571-272-3864, and the fax number is 571-273-3864. The examiner can normally be reached on 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Thuong (Tina) T Nguyen/
Examiner, Art Unit 2455